

**FILED**

**JUN 8 2006**

**CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS**

**NOT FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ANSELMO RAIGOSA-GARCIA,

Defendant - Appellant.

No. 04-30102

D.C. No. CR-03-02119-FVS

MEMORANDUM<sup>\*</sup>

Appeal from the United States District Court  
for the Eastern District of Washington  
Fred L. Van Sickle, Chief Judge, Presiding

Submitted June 5, 2006<sup>\*\*</sup>  
Seattle, Washington

Before: BEEZER, TALLMAN, and BYBEE, Circuit Judges.

The facts are known to the parties.

The district court fully considered Raigosa's motion for downward  
departure and acknowledged its discretion to grant the motion. Pursuant to well-

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<sup>\*</sup> This disposition is not appropriate for publication and may not be  
cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> This panel unanimously finds this case suitable for decision without  
oral argument. *See* Fed. R. App. P. 34(a)(2).

established circuit precedent, the district court's subsequent denial of Raigosa's motion is not reviewable on appeal. *See United States v. Campos-Fuerte*, 357 F.3d 956, 961 (9th Cir. 2004), *amended by* 366 F.3d 691 (9th Cir. 2004). Accordingly, Raigosa's appeal is **DISMISSED**.